



DWD Issuance 09-2007, Change 2

Issued: May 13, 2009
Effective: April 6, 2009

Subject: Change in Verification of Employment Eligibility for H-2A and H-2B Job Order Referrals

1. Purpose: To implement a new I-9 form for use in referring job seekers to an H-2A and H-2B employer with an open job order.
2. Background:

The U.S. Department of Labor (USDOL) has established guidelines indicating acceptable documentation the states may use to determine WIA general eligibility. A recent change to the USCIS I-9 form modifies the documentation that is allowable to establish an individual's identity, and employment eligibility. The I-9 documentation is part of a set of acceptable general eligibility documentation requirements for WIA Title 1-B participants. The use of I-9 information in regard to eligibility for WIA participants is addressed in Division of Workforce Development (DWD) Issuance 13-99 dated June 22, 2000.

ETA provided clarification to the procedures in Training and Employment Guidance Letter (TEGL) No. 11-07, and TEGL 11-07, Change 1, and on December 18, 2008, USDOL ETA through the Federal Register, amended ETA 20 CFR part 655 to include this mandate. DWD Issuance 09-2007, Change 1 was issued on January 18, 2009 to include the H-2B program as requiring the I-9.
3. Substance: The attached new I-9, I-9 Q&A and Employer Handbook are USDOL's recently-released approved resources for employees to use to verify their identity and employment authorization.
4. Action: Effective April 6, 2009 all Missouri Career Center staff and other program operators must assure full compliance with this guidance, including the associated attachments, when operating and/ or implementing workforce development programs.
5. Contact: Direct questions or comments regarding H-2A and H-2B job orders to:

Brenda Ancell, Business and Industry Services Section, Foreign Labor
Certification Unit at 573.526.9796 or brenda.ancell@ded.mo.gov

OR

Joyce Hahn, Business and Industry Services Section, Foreign Labor
Certification Unit at 573.751.9571 or joyce.hahn@ded.mo.gov

Direct questions or comments regarding WIA Eligibility to Randy
Cottrell, Manager, Adult and Youth Programs, at (573) 526-8242 or
randy.cottrell@ded.mo.gov.

6. Reference: TEGL 5-08 November 13, 2008; DWD Issuance 01-2001, July 16, 2001;
ETA 20 CFR parts 655 & 656; 8 CFR Part 274a
7. Rescissions: DWD Issuance 13-99 (Change 1), August 30, 2000; DWD Issuance 09-
2007, January 7, 2008; TEGL 06-08.
8. Attachments: Form I-9, Employment Eligibility Verification
Form I-9 Questions and Answers
Handbook for Employers, Instructions for Completing Form I-9



Julie Gibson
Director